

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Docket No. : 47418/KMO/B583

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD FOR CHEMICAL TRANSFORMATION USING A MUTATED ENZYME, the specification of which is attached hereto unless the following is checked:

___ was filed on ___ as United States Application Number or PCT International Application Number ___ and was amended on ___ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of the foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Application Number</u>	<u>Country</u>	<u>Filing Date (day/month/year)</u>	<u>Priority Claimed</u>
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>Application Number</u>	<u>Filing Date</u>
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60/288,378	May 3, 2001
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112.

<u>Application Number</u>	<u>Filing Date</u>	<u>Patented/Pending/Abandoned</u>
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09/702,421	October 31, 2000	Pending
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POWER OF ATTORNEY: I hereby appoint the following attorneys and agents of the law firm CHRISTIE, PARKER & HALE, LLP to prosecute this application and any international application under the Patent Cooperation Treaty based on it and to transact all business in the U.S. Patent and Trademark Office connected with either of them in accordance with instructions from the assignee of the entire interest in this application;

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or from the first or sole inventor named below in the event the application is not assigned; or from __ in the event the power granted herein is for an application filed on behalf of a foreign attorney or agent.

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Richard J. Ward, Jr.	(24,187)	Kathleen M. Olster	(42,052)	David B. Sandelands, Jr.	(46,023)
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Grant T. Langton	(39,739)	Frank L. Cire	(42,419)		
Constantine Marantidis	(39,759)	Harold E. Wurst	(22,183)		

The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

DIRECT TELEPHONE CALLS TO: Kathleen M. Olster, 626/795-9900

SEND CORRESPONDENCE TO:

Customer Number: 23363

**CHRISTIE, PARKER & HALE, LLP
P.O. Box 7068
Pasadena, CA 91109-7068**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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NAME OF SOLE OR FIRST INVENTOR

J. David Rozzell, Jr.

Inventor's Signature

J. David Rozzell, Jr.

Date

10-24-01

City
Residence: Burbank

State
California

Country
USA

Citizenship
US

Mailing Address: 437 South Sparks Street, Burbank, California 91506

NAME OF SECOND INVENTOR

Inventor's Signature

Date

City
Residence:

State

Country

Citizenship

Mailing Address:

EDB PAS390269.1*-10/24/01 8 30 AM

1009999-10401
FOOT-2366001

Docket No. : 47418/KMO/B583

CHRISTIE, PARKER & HALE, LLP

Post Office Box 7068

Applicant or Patentee : J. David Rozzell, Jr.

Pasadena, CA 91109-7068

Application or Patent No. : Not Yet Assigned

(626) 795-9900

Filed or Issued : Not Yet Assigned

Entitled : METHOD FOR CHEMICAL TRANSFORMATION USING A MUTATED ENZYME

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37) CFR 1.9(f) & 1.27(c) – SMALL BUSINESS CONCERN**

I hereby declare that I am

_____ the owner of the small business concern identified below:

X an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN : BioCatalytics, Inc.

ADDRESS OF SMALL BUSINESS CONCERN : 39 Congress Street, Suite 303, Pasadena, California 91105

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for the purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **METHOD FOR CHEMICAL TRANSFORMATION USING A MUTATED ENZYME** by inventor(s) **J. David Rozzell, Jr.** described in

X the specification filed herewith

_____ Application No. _____ filed _____

_____ Patent No. _____ issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). ***NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME :

ADDRESS :

___ INDIVIDUAL

___ SMALL BUSINESS CONCERN

___ NONPROFIT ORGANIZATION

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37) CFR 1.9(f) & 1.27(c) - SMALL BUSINESS CONCERN

Docket No.: 47418/KMO/B583

NAME :
ADDRESS :

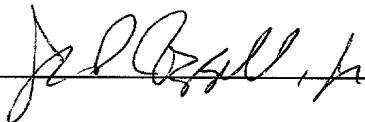
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING : J. David Rozzell, Jr.
TITLE OF PERSON IF OTHER THAN OWNER : President
ADDRESS OF PERSON SIGNING : 39 Congress Street, Suite 303, Pasadena, California 91105

SIGNATURE



DATE

Oct 24, 2001

KMO/edb

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